

EXHIBIT L

STATEMENT OF: Police Officer Robert Schutte
Badge #5965
12th District 3C Platoon

APPOINTMENT DATE: 12/22/14
ASSIGNMENT DATE: 2/2/15

DATE AND TIME: 11/5/15 @ 10:15 p.m.

PLACE: Internal Affairs Division
7790 Dungan Road Phila. Pa. 19111

CONCERNING: PAC # 15-025 IAD # 15-0568

INTERVIEWED BY: Lieutenant Joseph McGarrey #451, IAD

RECORDED BY: Same

IN PRESENCE OF: Danielle Nitti

IN PRESENCE OF:

I am Lt. Joseph McGarrey #451, Internal Affairs Division. I will be asking you questions in reference to a Complaint Against Police and I will be taking your statement directly onto the computer.

Q. Are you represented by counsel?
A. Yes.

Q. Have you had the opportunity to consult with your attorney?
A. Yes

Q. Do you need to consult with your attorney before we continue?
A. No.

You are reminded that failure to cooperate in a Departmental administrative investigation is punishable by 10 days suspension to dismissal under Article 1-§ 008-10 of the Disciplinary Code.

You are also reminded that lying or attempting to deceive regarding a material fact during the course of any Departmental investigation is punishable 10 days suspension to dismissal under Article 1-§ 009-10 of the Disciplinary Code.

Q. Do you understand this?
A. Yes.

P/O Schutte

Q. Are you willing to cooperate?

A. Yes.

Q. P/O Schutte, this will be a follow up interview in reference to the one conducted on 10/19/15. Do you recall that prior interview?

A. Yes

Q. P/O Schutte, during your first interview you stated that you prepared a 75-48 in reference to the incident. Did you prepare that document or did your partner prepare that document?

A. I was mistaken, it was prepared by my partner P/O Navedo. Basically what I meant was that as a result of the incident a 75-48 was prepared but not by myself.

Q. P/O Schutte, during that first interview do you recall being asked if the second radio call you responded to was for a disturbance or was it for a supervisor to take the location in which you were still out in front?

A. Yes.

Q. Do you recall answering that it was for a disturbance?

A. Yes, I did recall that it was for a disturbance.

Q. P/O Schutte, prior to this interview you were given the opportunity to review the transcription of recording of radio transmissions for the incident. After reviewing the transcription to refresh your memory, can you tell me what the second radio call was?

A. It was a call for a supervisor.

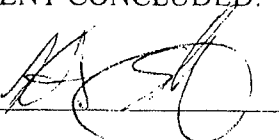
Q. P/O Schutte, if it was a call for a supervisor, why did you and your partner return to the residence?

A. We went there to back up the supervisor but we also went to see if we could resolve any issue that may not need the supervisor to respond. When we first went to the residence it did not seem that the complaint was upset with us or the service we provided. So, we went to see what the problem was and to see if it was something we could resolve. When we attempted to speak to the individual, the male, he was very hostile, cursing at us, saying to us, "Get the fuck off my porch and leave us the fuck alone. He slammed the door and we went back to wagon and waited for the supervisor to show up. We briefed him on what had occurred, then he knocked on the door but there was no answer. He instructed us to write a 75-48 and to note that he was on location but no one responded when he knocked.

This is an on-going investigation being conducted by Internal Affairs. By orders of the Commanding Officer of Internal Affairs you are instructed not to disclose any information discussed here to anyone other than your attorney and FOP representative.

STATEMENT CONCLUDED: 10:35 p.m..

P/O Schutte



I HAVE READ THE FOREGOING STATEMENT CONSISTING OF (3) PAGES AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I MUST REMIND YOU THAT THIS INVESTIGATION IS STILL IN PROGRESS AND THAT THE INFORMATION IN THIS STATEMENT IS CONFIDENTIAL AND THAT YOU ARE NOT TO REVEAL ANY OF THIS INFORMATION TO ANYONE EXCEPT MYSELF OR YOUR ATTORNEY UNTIL THE INVESTIGATION IS CONCLUDED. A FAILURE TO COMPLY WITH THIS REQUEST WILL BE CONSIDERED A LACK OF COOPERATION IN THIS INVESTIGATION.

NAME: Robert Schutte

DISTRICT /UNIT: 12

DATE AND TIME: 11-5-15 10:37 pm

WITNESSES: _____

P/O Schutte _____